

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KIMBERLY KENNEDY (aka Gorton), individually and in her capacity as Personal Representative of the Estate of JAY D. (J.D.) KENNEDY, and as guardian for her children, KEITH TEUFEL and TERA TEUFEL.

Plaintiffs,

V.

CLARK COUNTY, a municipal corporation and political subdivision of the State of Washington; THE CITY OF RIDGEFIELD, a municipal corporation; NOEL SHIELDS, CATHY DORIOT, CINDY GULL and JOHN DOES 1-10; MICHAEL THOMAS BURNS (aka HUMPHREY); ANGELA BURNS and MATTHEW JAMES BURNS, husband and wife.

Defendants.

NO. C01-5631 JKA

**ORDER APPROVING
SUPPLEMENTAL MINOR
SETTLEMENTS WITH THE CITY OF
RIDGEFIELD**

THIS MATTER having come on regularly before the undersigned judge of the above-entitled Court upon Petitioners' petition for approval of the minors' second settlements, pursuant to SPR 98.16W, the Court having reviewed and considered the petitioners' petition, the report of Daniel M. Albertson, the settlement *Guardian Ad Litem* for the minor children,

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(C01-5631 JKA)

LAW OFFICES OF
JOHN R. CONNELLY, JR.
2301 North 30th
TACOMA, WASHINGTON 98403
(253) 593-5100 - FACSIMILE (253) 593-0380

1 and the records and files herein, and the Court finding that the request for approval should be
 2 granted.

3 **NOW, THEREFORE, IT IS HEREBY ORDERED:**

4 1. That the settlements on behalf of Tera N. Teufel and Keith T. Teufel with the
 5 City of Ridgefield are hereby approved. The allocation of the settlement as between plaintiffs
 6 is approved.

7 2. The Court further approves payment of minor settlements as
 8 follows:

9 **A. Tera N. Teufel**

10 1. Upfront payment \$80,000.

11 2. Periodic payments as follows:

	Guaranteed Benefits	Expected Benefits
A. Beginning at age 18 (01/19/2007), \$465 payable monthly for 17 years certain only.	\$94,860	\$94,860
Last guaranteed payment is due 12/19/2023.		
B. At age 35 (01/19/2024), a lump sum payment of \$100,000.	<u>\$100,000</u>	<u>\$100,000</u>
Total	\$194,860	\$194,860

18 The present value cost of the future periodic payments is \$100,000 and the rate of
 19 return 5.56%.

21 **B. Keith T. Teufel**

22 1. Upfront payment \$80,000.

23 2. Periodic payments as follows:

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	Guaranteed Benefits	Expected Benefits
A.	Beginning at age 18 (01/18/2009) , \$546 payable monthly for 17 years certain only.	\$114,648
	Last guaranteed payment is due 12/18/2025.	\$114,648
B.	At age 35 (01/18/2026), a lump sum payment of \$100,000.	<u>\$100,000</u>
		<u>\$100,000</u>
	Total	\$214,648
		\$214,648

3. That Defendants may make a "qualified assignment" of their obligation to
 4 make the aforesaid future periodic payments to Prudential Assigned Settlement Services
 5 Corporation (Assignee). Plaintiffs consent to this assignment and accept such obligation as a
 6 direct obligation of Prudential Assigned Settlement Services Corporation and in substitution
 7 of the obligation by Defendants. It is understood and agreed that Prudential Assigned
 8 Settlement Services Corporation will fund the obligation to make future periodic payments by
 9 purchasing an annuity from The Prudential Insurance Company of America, rated A+
 10 (Superior) by A.M. Best. The Prudential Insurance Company of America will issue a
 11 Statement of Guarantee, guaranteeing Prudential Assigned Settlement Services Corporation
 12 with respect to the obligation assumed.

13 4. That The Law Offices of John R. Connelly, Jr. shall be authorized to disburse
 14 the up-front settlement funds as follows:

(a)	To Daniel M. Albertson for Guardian Ad Litem fees in this case	\$660.00
(b)	To Kimberly Gorton-Kennedy For litigation costs incurred in handling the case of Tera N. Teufel	\$1,579.50

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1	(c) To Kimberly Gorton-Kennedy for litigation costs incurred in handling the case of Keith T. Teufel	\$1,579.50
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3	(d) To The Law Offices of John R. Connelly, Jr. for attorneys fees incurred in handling the case on behalf of Tera N. Teufel	\$61,920
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5	(e) To The Law Office of John R. Connelly, Jr, for attorneys fees incurred in handling the case on behalf of Keith T. Teufel	\$61,920
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7	(h) To the Paulson Firm for attorney fees, incurred in handling the case on behalf of Tera N. Teufel	\$15,400
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9	(i) To the Paulson Firm for attorney fees, incurred in handling the case on behalf of Keith T. Teufel.	\$15,400
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12	5. That Kimberly Kennedy as Guardian, and pursuant to Washington law, shall be authorized to sign all appropriate documentation to put the settlements into place as described herein.	
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18	6. That the fees of Daniel M. Albertson are approved as reasonable and that he is discharged as his work in the case is completed.	
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22	7. That, payment shall be made directly to the trust account at the Law Offices of John R. Connelly, Jr. for disbursement in accordance with the terms of this Order.	
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/s/ J. Kelley Arnold
THE HONORABLE J. KELLEY ARNOLD